

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

DAVID VALENCIA,

Petitioner,

v.

JEFFREY BEARD, et al.,

Respondents.

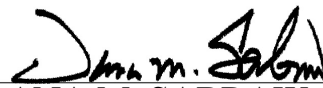
CASE NO. 16cv0101 DMS (WVG)

**ORDER (1) ADOPTING REPORT
AND RECOMMENDATION AND
(2) DENYING PETITION**

On January 14, 2016, Petitioner David Valencia ("Petitioner"), a state prisoner proceeding *pro se*, filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. On April 12, 2016, Respondent filed an answer to the Petition. On August 31, 2016, Magistrate Judge William V. Gallo issued a Report and Recommendation ("R&R"), recommending that the Court deny the present habeas corpus petition with prejudice. There are no objections to the R&R.

This Court, having reviewed *de novo* the Magistrate Judge's R&R, adopts the R&R in its entirety. The Clerk of Court shall enter judgment accordingly and terminate this case.

DATED: October 5, 2016


HON. DANA M. SABRAW
United States District Judge